

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SGM HOLDINGS LLC, RICHARD FEATHERLY,
LAWRENCE FIELD, PREMIER NATURAL RESOURCES
LLC, and SYNDICATED GEO MANAGEMENT
CORPORATION,

Plaintiffs,

-v-

A JAMES ANDREWS, RICHARD GAINES, and KARL
SCHLEDWITZ,

Defendants.

CIVIL ACTION NO.: 15 Civ. 8142 (PAC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On January 11, 2024, non-party James T. Hughes Jr. (“Mr. Hughes”) filed a letter stating that, on October 23, 2023, plaintiff Lawrence Field (“Mr. Field”) assigned to Mr. Hughes “all of [Mr. Field’s] claims against the Defendants” in this action. (ECF No. 147 at 1 (the “Letter”)). On January 31, 2023, construing the Letter as a motion under Federal Rule of Civil Procedure 25(c) for Mr. Hughes to be substituted for plaintiff Lawrence Field in this action based on the assignment (the “Substitution Motion”), the Court ordered that any opposition to the Substitution Motion shall be filed by February 14, 2024, and that Mr. Hughes’ reply shall be filed by February 21, 2024. (ECF No. 151 ¶¶ 1–2 (the “Jan. 31 Order”)).

On February 9, 2024, Defendants filed a letter stating that they “do not oppose Mr. Hughes[’] entry as an assignee/plaintiff for Mr. Field provid[ed] they have an opportunity to depose him and challenge the assignment prior to [the] discovery cutoff if they believe it is warranted.” (ECF No. 155 at 1 (“Defendants’ Response”)). On February 12, 2024, the Court reiterated its directive for Mr. Hughes to file his reply by February 21, 2024. (ECF No. 156).

On February 14, 2024, Defendants A. James Andrews and Richard Gaines filed a letter repeating their position that they do not oppose the Substitution Motion, and now “request[ing] that the Court reopen discovery as to Mr. Hughes only for 45 days.” (ECF No. 157 (“Defendants’ Request”)).

Defendants’ Request is DENIED WITHOUT PREJUDICE to renewal for failure to comply with the Court’s Individual Practices, which require parties to meet and confer prior to filing any discovery requests. (See Ind. Pracs. § II.C). Defendants fail to state whether they conferred with Mr. Hughes, and to the contrary, it is apparent from Defendants’ Request that no conference occurred.

The Clerk of Court is respectfully directed to close ECF No. 157.

Dated: New York, New York
February 15, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge